

Second Regular Session  
Sixty-ninth General Assembly  
STATE OF COLORADO

DRAFT  
12.12.13

DRAFT

LLS NO. 14-0359.01 Debbie Haskins x2045

COMMITTEE BILL

Committee on Legal Services

SHORT TITLE: "Rule Review Bill"

DEADLINES: Finalize by: 27 JAN 2014 File by: 29 JAN 2014

A BILL FOR AN ACT

101 CONCERNING IMPLEMENTATION OF RECOMMENDATIONS OF THE  
102 COMMITTEE ON LEGAL SERVICES IN CONNECTION WITH  
103 LEGISLATIVE REVIEW OF RULES AND REGULATIONS OF STATE  
104 AGENCIES.

Bill Summary

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/bills/summaries>.)*

**Committee on Legal Services.** Based on the findings and recommendations of the committee on legal services, the bill extends all

state agency rules and regulations that were adopted or amended on or after November 1, 2012, and before November 1, 2013, with the exception of the rules and regulations specifically listed in the bill. Those specified rules and regulations will expire as scheduled in the "State Administrative Procedure Act" on May 15, 2014, on the grounds that the rules and regulations either conflict with statute or lack or exceed statutory authority.

---

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1. Rules and regulations scheduled for expiration**

3 **May 15, 2014 - extension.** (1) Except as indicated, the expiration of all  
4 rules and regulations of agencies in the following principal departments,  
5 which rules and regulations were adopted or amended on or after  
6 November 1, 2012, and before November 1, 2013, and that are therefore  
7 scheduled for expiration May 15, 2014, is postponed, and the provisions  
8 of section 24-4-108 or 24-34-104, Colorado Revised Statutes, shall apply:

9 (a) Department of agriculture;

10 (b) Department of corrections;

11 (c) Department of education; except that the following rules are  
12 not extended:

13 (I) The following rules of the state board of education concerning  
14 administration of the accreditation of school districts (1 CCR 301-1):

15 (A) Rule 3.02, concerning each contract shall have a term of one  
16 year and shall be automatically renewed;

17 (B) Rule 5.03, concerning a district's or the institute's failure to  
18 comply with the department's statewide assessment administration and  
19 security policies and procedures;

20 (C) Rule 10.01 (B), concerning a public school's failure to comply  
21 with the department's statewide assessment administration and security  
22 policies and procedures;

1 (II) The following rule of the state board of education concerning  
2 administration of the exceptional children's educational act (1 CCR  
3 301-8): Rule 3.04 (2), concerning temporary teacher eligibility (TTE);

4 (d) Department of health care policy and financing;

5 (e) Department of higher education;

6 (f) Department of human services;

7 (g) Department of labor and employment;

8 (h) Department of law;

9 (i) Department of local affairs; except that the following rule of  
10 the state board of housing, division of housing, concerning resolution No.  
11 38 - manufactured housing installations (8 CCR 1302-7) is not extended:  
12 Section 12, concerning certificate of installation insignia;

13 (j) Department of military and veterans affairs;

14 (k) Department of natural resources;

15 (l) Department of personnel;

16 (m) Department of public health and environment;

17 (n) Department of public safety; except that the following rules  
18 are not extended:

19 (I) The following rule of the Colorado state patrol, concerning the  
20 permitting, routing and transportation of hazardous and nuclear materials  
21 - part III - hazardous materials route designation (8 CCR 1507-25): Rule  
22 HMR 8 C, concerning while generally required to employ designated  
23 state, federal and interstate roadways, transporters of gasoline, diesel fuel,  
24 and liquefied petroleum may routinely travel;

25 (II) The following rule of the director of the division of fire  
26 prevention and control, concerning building, fire, and life safety code  
27 enforcement and certification of inspectors for health facilities licensed

1 by the state of Colorado - Article 10 - building code and fire code  
2 inspector qualification (8 CCR 1507-31): Rule 10.1.3 F, concerning  
3 third-party inspectors contracted by the business entity must attest that  
4 inspections are complete and all violations are corrected;

5 (o) Department of regulatory agencies;

6 (p) Department of revenue;

7 (q) Department of state; except that the following rules of the  
8 secretary of state concerning administration of the "Colorado Charitable  
9 Solicitations Act" (8 CCR 1505-9) are not extended:

10 (A) Rule 1.15, concerning "registered agent";

11 (B) Rule 1.17, concerning "sole responsibility";

12 (r) Department of transportation;

13 (s) Department of the treasury.

14 (2) The expiration of all rules and regulations of the public  
15 employees' retirement association, which rules and regulations were  
16 adopted or amended on or after November 1, 2012, and before November  
17 1, 2013, and which are therefore scheduled for expiration May 15, 2014,  
18 is postponed.

19 (3) The recommendations of the committee on legal services as  
20 reflected in this act apply to the specified rules in the form in which said  
21 rules were considered and acted upon by the committee. Any amendments  
22 or other changes in the specified rules that became effective before  
23 November 1, 2013, that comply with the recommendations of the  
24 committee on legal services are not affected by this act. Any subsequent  
25 amendments or other changes in the specified rules that became effective  
26 on or after November 1, 2013, are not affected by this act.

27 **SECTION 2. Safety clause.** The general assembly hereby finds,

- 1 determines, and declares that this act is necessary for the immediate
- 2 preservation of the public peace, health, and safety.

